

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-against-

1:10-cr-0034 (LEK)

DARRYL SOUSA,

Defendant.

DECISION and ORDER

I. INTRODUCTION

Presently before the Court is Defendant Darryl Sousa's ("Defendant") Motion to terminate his term of supervised release. Dkt. No. 20 ("Motion"). On January 28, 2010, Defendant pleaded guilty to a charge of Conspiracy to Distribute and Possess with the Intent to Distribute more than fifty kilograms of marijuana in violation of 21 U.S.C. §§ 846 and 841(b)(1)(C). Dkt. No. 6. On April 20, 2012, Defendant was sentenced to thirty-three months imprisonment followed by three years supervised release and ordered to pay a \$2000.00 fine as well as a \$100.00 special assessment. Dkt. No. 17. Defendant was released from custody on October 20, 2014, and has therefore served approximately one year and seven months of his term of supervised release. Mot. at 1.

In response to the Motion, the Government has informed the Court by letter dated April 11, 2016 that it does not oppose Defendant's Motion and indicates that Defendant's supervising probation officer Jordan Buescher also does not oppose Defendant's Motion. Dkt. No. 24 ("Government Response").

II. DISCUSSION

Pursuant to 18 U.S.C. § 3583(e), a district court may "terminate a term of supervised release and discharge the defendant released at any time after the expiration of one year of supervised

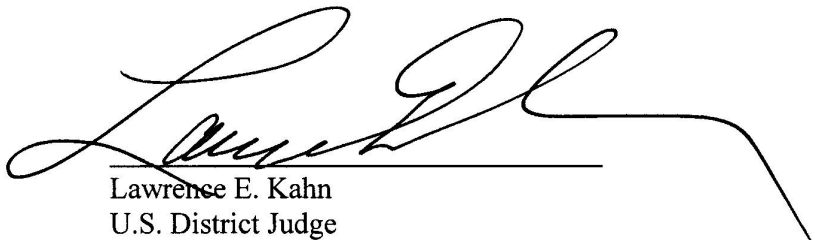
release . . . if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice” after considering the factors set forth in § 3553(a). 18 U.S.C. § 3583(e)(1). After reviewing Defendant’s Motion, the Government’s Response, and consulting with the United States Probation Office, the Court finds that Defendant has fully complied with the terms of his supervised release thus far and has fully paid his special assessment and the monetary penalty imposed at sentencing. He has successfully completed an outpatient drug treatment program directed by the Bureau of Prisons and has passed all urinalysis tests without fail. Moreover, the Court finds that Defendant has made significant changes in his lifestyle and has a stable career and a supportive family. Therefore, the Court grants Defendant’s Motion for the early termination of his term of supervised release.

Accordingly, it is hereby:

ORDERED, that Defendant’s Motion (Dkt. No. 20) to terminate his term of supervised release is **GRANTED**.

IT IS SO ORDERED.

DATED: May 12, 2016
Albany, New York



Lawrence E. Kahn
U.S. District Judge